

EXHIBIT 2

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
SPRING VALLEY BRANCH, *et al.*,**

Plaintiffs,

v.

**EAST RAMAPO CENTRAL SCHOOL
DISTRICT, *et al.*,**

Defendants.

ECF CASE

Case No. 7:17-cv-08943

**DISTRICT JUDGE
CATHY SEIBEL**

**MAGISTRATE JUDGE
JUDITH C. MCCARTHY**

DECLARATION OF PIERRE GERMAIN

Pursuant to 28 U.S.C. § 1746, Pierre Germain declares under penalty of perjury as follows:

Background

1. I am an adult resident of Spring Valley, New York.
2. I have lived in Rockland County since 1997.
3. I am a black man of Haitian descent.
4. My children attend private school.
5. In addition to my current position as a Board Member of the ERCSD Board of Education,
I run a construction contracting company.

My Interest in the Schoolboard

6. In late 2012 or early 2013, one of my friends talked to me about frustrations he was
having with the ERCSD Board of Education. He expressed the view that the Board did
not adequately represent his interests. When I heard about my friend's problems, I saw
an opportunity to make a difference. At the time, a majority of the members of the Board

were from the Orthodox and Hasidic community within the District. After listening to my friend, I realized that a lot of his frustrations were caused by a lack of empathy and understanding between public school parents and the private school parent community. I decided I would try to learn more about the difficulties people were having and to see whether I could help develop a solution.

The 2013 Election

7. I am friends with Brendel Logan-Charles. In early 2013, Mrs. Logan-Charles and I were talking about politics in East Ramapo and I mentioned my desire to get involved with the School Board. Mrs. Logan-Charles said she was pleased to hear about my interest, and told me that her husband also wanted to work to improve interaction and communication between conflicting members of the community through the Board of Education, and that he was looking for people to run with him in the 2013 election.
8. I then spoke with Mr. Charles. I concluded that we had similar views on an approach toward addressing communal concerns relating to the School Board. Both of us wanted to improve the quality of public school education in the District, and both of us believed that the best way to do that would be to work with the Orthodox and Hasidic members of the Board, to find common ground, and to work together to improve the District's performance for the benefit of all residents of the District.
9. Given our similar views on school board politics, Mr. Charles and I decided to run together in the 2013 Board elections. We were joined by MaraLuz Corado.
10. Mr. Charles, Ms. Corado, and I campaigned together throughout the District.

11. As part of our campaign, we met with members of the Orthodox and Hasidic community.
Mr. Charles already knew several members of that community. He introduced Ms. Corado and me to several rabbis in the Orthodox and Hasidic community.
12. The Rabbis asked why I wanted to join the Board and asked whether I would work with the Orthodox and Hasidic board members. I explained that while I am an advocate for public education, I am interested in working with the Orthodox and Hasidic board members to meet the needs of everyone in the District, including the parents and children who comprised the “private school community.”
13. In addition to meeting with members of the Orthodox and Hasidic community, Mr. Charles, Ms. Corado, and I spoke with members of several churches throughout the District and met independently with voters and potential voters. The people I spoke with seemed to support my platform of cooperation and positivity.
14. My opponent in the 2013 election was Eustache Clerveaux. Ms. Corado’s opponent was Margaret Tuck. Mr. Charles’ opponent was Robert Forest.
15. While Mr. Forrest, Ms. Tuck, and Mr. Clerveaux claimed to support the District’s public schools, they did not appear to share my goal of cooperation and engagement. They voiced strong opposition to the presence of Orthodox and Hasidic members on the Board, and pledged that if elected, they would oppose the then-current members of the Board.
16. Mr. Forrest, Ms. Tuck, and Mr. Clerveaux were supported by the NAACP of Spring Valley, Power of Ten, and Strong East Ramapo, organizations that have been openly hostile to the Orthodox and Hasidic members of the Board and to the interests they represent. Those organizations seem to take the view that school board politics is a zero

sum game – and that one side has to win and the other has to lose. I disagree. I believe that both sides can win when they cooperate and deliberate in good faith.

17. I won the 2013 election, as did Ms. Corado and Mr. Charles. Each of us received over 1,500 more votes than our opponents.

18. Once elected, I worked to fulfill my campaign promise to work with Orthodox and Hasidic members of the Board to improve the quality of the District's public education program. While I did not always agree with the Orthodox and Hasidic majority of the Board, we engaged in respectful debate and looked for opportunities to reach agreement on sensitive policy issues.

19. I am confident that school board elections in the District have nothing to do with race. Instead, elections are driven by substantive policy differences and budget constraints. The issues we face are not "black" or "white" – it is that we don't have enough green. Our differences relate to the choices that need to be made in the allocation of limited funds for our School District. Parents who send their children to public school have different needs than parents who send their children to private school. Elections are driven by those different needs and by the fact that much of the Orthodox and Hasidic community does not understand the needs of the public school community.

20. After the election, I reached out to Willie Trotman and Steven White. Mr. Trotman and Mr. White are outspoken critics of the white members of the Board, and lead or influence NAACP of Spring Valley, Power of Ten, and Strong East Ramapo. I called Mr. White and Mr. Trotman to let them know that I wanted to work with them to improve the District. Neither Mr. White nor Mr. Trotman returned my calls.

21. Since I was elected to the Board, I have heard several of my constituents accuse “the Jews” of stealing money from the District and of intentionally undermining public school education. When I hear these kinds of complaints, I tell the constituents about my experience working with the Orthodox and Hasidic members of the Board and emphasize the similarities between the secular community and Orthodox and Hasidic community. These conversations tell me that most or all of the conflict in the District is based on a lack of understanding and empathy, and that my approach as a Board member is valuable.

The 2016 Election

22. I ran for re-election to the School Board in 2016. As in the 2013 election, I ran as a strong supporter of and advocate for the District’s public schools. When campaigning, I promised that, if re-elected, I would continue to work with the Orthodox and Hasidic members of the Board to improve the District for both public and private school students.
23. My opponent in the 2016 election was Jean Fields. Ms. Fields received the support of the NAACP of Spring Valley, Power of Ten, and Strong East Ramapo. She strongly opposed my approach of cooperation and accommodation, and pledged that, if elected, she would oppose the then-current members of the Board. I won the 2016 election, and received over 3,500 more votes than Ms. Fields.
24. I am concerned about the ward system of voting that Plaintiffs in this case are seeking to impose on the District. Since there are currently no racial barriers or racial tensions that interfere with white voters voting for black and Latino candidates, and blacks and Latinos voting for white candidates, the at large system enables people like me (of color) to get elected District-wide, and to interact with and attract support from all elements of the community, be they white, black or Latino. Ward voting, on the other hand, and the

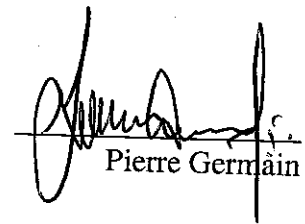
effort to have candidates run in white or black wards encourages just the opposite result, and will encourage voting on purely racial lines in a much narrower geographic area.

That's the last thing our District needs.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Spring Valley, New York

February 13, 2018.



Pierre Germain